

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Request for Review of the)	
Decision of the)	
Universal Service Administrator by)	
)	
Kanawha Christian School)	File No. SLD-228261
Kanawha, Iowa)	
)	
Federal-State Joint Board on)	CC Docket No. 96-45
Universal Service)	
)	
Changes to the Board of Directors of the)	CC Docket No. 97-21
National Exchange Carrier Association, Inc.)	

ORDER

Adopted: May 10, 2002

Released: May 13, 2002

By the Telecommunications Access Policy Division, Wireline Competition Bureau:

1. The Telecommunications Access Policy Division has under consideration a Request for Review filed by Kanawha Christian School (Kanawha), Kanawha, Iowa, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).¹ Kanawha seeks review of SLD's denial of its application for discounts in Funding Year 4 under the schools and libraries universal support mechanism.² For the reasons set forth below, we grant Kanawha's Request for Review and we remand Kanawha's application to SLD for further processing in accordance with this Order.

2. Under the schools and libraries universal service support mechanism, eligible schools, libraries, and consortia that include eligible schools and libraries, may apply for discounts for eligible telecommunications services, Internet access, and internal connections.³ In order to receive discounts on eligible services, the Commission's rules require that the applicant submit to the Administrator a completed FCC Form 470, in which the applicant sets forth its

¹ Letter from Vicki Hillenga, Kanawha Christian School, to the Federal Communications Commission, filed August 24, 2001 (Request for Review).

² See Request for Review. Section 54.719(c) of the Commission's rules provides that any person aggrieved by an action taken by a division of the Administrator may seek review from the Commission. 47 C.F.R. § 54.719(c).

³ 47 C.F.R. §§ 54.502, 54.503.

technological needs and the services for which it seeks discounts.⁴ Once the applicant has complied with the Commission's competitive bidding requirements and entered into agreements for eligible services, the applicant must submit a completed FCC Form 471 application to the Administrator.⁵

3. In the FCC Form 471 instructions, SLD has clearly set forth its standards for processing a FCC Form 471 application.⁶ Specifically, the Form 471 Instructions for Item 34, the signature certification block, requires, "the authorized person to sign the Form 471 with an original, ink signature," and it further states in capitalized letters for emphasis that, "no copies of signatures will be accepted."⁷ The FCC Form 471 Instructions further state that if a school or library does not provide the information requested on this form, "the processing of your application may be delayed or your application may be returned to you without action."⁸

4. SLD received Kanawha's FCC Form 471 on January 10, 2001, within the Funding Year 4 filing window.⁹ However, SLD returned Kanawha's application without processing it because the application failed to meet SLD's minimum processing standards.¹⁰ SLD informed Kanawha that its application had failed minimum processing standards because its FCC Form 471 Block 6 signature certification was photocopied.¹¹ Kanawha then resubmitted the signature block of its FCC Form 471 with an original handwritten signature.¹² Subsequently, SLD notified Kanawha that its Form 471 would be considered as an out of window application for discounted services.¹³

5. In support of its Request for Review, Kanawha argues that it properly submitted a complete FCC Form 471 to SLD before the January 18, 2001, window.¹⁴ We conclude that the photocopied signature on the timely FCC Form 471 constitutes a sufficient certification under our rules. In *New Hartford*, the Common Carrier Bureau held that a photocopied signature

⁴ 47 C.F.R. § 54.504(b)(1), (b)(3).

⁵ 47 C.F.R. § 54.504(c).

⁶ Instructions for Completing the Schools and Libraries Universal Service, Services Ordered and Certification Form (Funding Year 4 FCC Form 471 Instructions), OMB 3060-0806 (October 2000).

⁷ *Id.* at 25 (emphasis altered).

⁸ *Id.* at 2.

⁹ In Funding Year 4 the filing window closed on January 18, 2001. See generally Universal Service Administrative Company, Schools and Libraries Program, Reference Area: Form 471 Minimum Processing Standards and Filing Requirements, <<http://www.sl.universalservice.org/reference/471mps.asp>>; see also FCC Form 471, Kanawha Christian School, filed January 10, 2001.

¹⁰ Letter from Schools and Libraries Division, Universal Service Administrative Company, to Vicki Hillenga, Kanawha Christian School, dated January 19, 2001 (stating that the applicant, Kanawha, did not meet minimum processing standards and their FCC Form 471 could not be processed).

¹¹ *Id.*

¹² Request for Review.

¹³ Postcard from Schools and Libraries Division, Universal Service Administrative Company, to Kanawha Christian School, postmarked July 11, 2001 (stating that Kanawha's FCC Form 471 was received after the January 18, 2001 filing window).

¹⁴ Request for Review.

constitutes a valid signature for purposes of certifying an FCC Form 471.¹⁵ Thus, we find that the photocopied signature on Kanawha's initially submitted Funding Year 4 FCC Form 471 application meets minimum processing standards, and direct the Administrator to process Kanawha's application.

6. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the Request for Review filed August 24, 2001 by Kanawha Christian School, Kanawha, Iowa IS GRANTED and this matter is remanded to SLD for further processing.

FEDERAL COMMUNICATIONS COMMISSION

Mark G. Seifert
Deputy Chief, Telecommunications Access Policy Division
Wireline Competition Bureau

¹⁵ See *In the Matter of Request for Review of the Decision of the Universal Service Administrator by New Hartford Central School District, New Hartford, New York, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, 16 FCC Rcd 19329, 19331 (2001) (*New Hartford*).